

AMENDED IN SENATE AUGUST 24, 2012

AMENDED IN SENATE JULY 6, 2012

AMENDED IN ASSEMBLY MAY 25, 2012

AMENDED IN ASSEMBLY MAY 2, 2012

AMENDED IN ASSEMBLY APRIL 10, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2132**

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**Introduced by Assembly Member Lara**

February 23, 2012

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An act to add Article 5.4 (commencing with Section 66054) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

### **LEGISLATIVE COUNSEL’S DIGEST**

AB 2132, as amended, Lara. Public postsecondary education: tenure policy.

Existing law authorizes the granting of tenure to academic employees in public postsecondary institutions. The existing Donahoe Higher Education Act sets forth the missions and functions of the segments of postsecondary education in this state, including the 3 public postsecondary segments: the California Community Colleges, the California State University, and the University of California. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make those provisions applicable. Existing provisions of the act express the intent of the Legislature that the 3 public postsecondary segments

adopt and enforce policies and procedures that ensure that teaching is an important factor in the evaluation of faculty for appointment, retention, promotion, and tenure.

This bill would express the intent of the Legislature that the California State University and the University of California develop and adopt tenure policies aimed at encouraging and rewarding service, both to the campus community and to the community outside of the campus, provided by faculty members.

The bill would require the Trustees of the California State University, and request the regents, to take specified actions during the ~~2013–14 academic year~~ *next review of the retention, tenure, and promotion policies at each campus, or before the end of the 2017–18 academic year, whichever occurs first*, to recognize and reward service as appropriate for each discipline, as specified; to consider the extent to which specified forms of service may be recognized for purposes of appointment, promotion, retention, and tenure review; and to develop and distribute throughout their respective segments transparent criteria for tenure that include service, if criteria of that type that are academically appropriate for each discipline have not previously been adopted in that segment. The bill would also require the trustees, and request the regents, to consult with the academic senates of their respective segments and with student and community organizations and to act consistently with applicable collective bargaining agreements in carrying out these responsibilities.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) In subdivision (a) of Section 66052 of the Education Code,
- 4 the Legislature has specifically found and declared that “there is
- 5 a need to encourage policies that enhance the quality of teaching
- 6 within the segments of higher education.”
- 7 (2) In subdivision (b) of Section 66052 of the Education Code,
- 8 the Legislature has specifically expressed its intent “that the
- 9 University of California adopt and enforce policies and procedures
- 10 which ensure that quality teaching is an essential criterion, along

1 with research, in the evaluation of faculty for appointment,  
2 retention, promotion, and tenure.”

3 (3) In subdivision (b) of Section 66052 of the Education Code,  
4 the Legislature also specifically expressed its intent “that the  
5 California State University and the governing board of each  
6 community college district adopt and enforce policies and  
7 procedures that ensure that teaching is given primacy in the  
8 evaluation of faculty for appointment, retention, promotion, and  
9 tenure.”

10 (4) A common attribute of an outstanding faculty member is  
11 the willingness to expend time and energy in teaching, research,  
12 and service to the campus community and to the greater community  
13 outside of the campus.

14 (b) Therefore, it is the intent of the Legislature that the California  
15 State University and the University of California develop and adopt  
16 tenure policies aimed at encouraging and rewarding the service,  
17 both to the campus community and to the community outside of  
18 the campus, that is valuably and selflessly provided by so many  
19 faculty members throughout the segments.

20 SEC. 2. Article 5.4 (commencing with Section 66054) is added  
21 to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education  
22 Code, to read:

23  
24 Article 5.4. Tenure Policy  
25

26 66054. (a) The Trustees of the California State University  
27 shall, and the Regents of the University of California are  
28 encouraged to, accomplish ~~both of~~ the following during the  
29 ~~2013–14 academic year~~ *next review of the retention, tenure, and*  
30 *promotion policies at each campus, or before the end of the*  
31 *2017–18 academic year, whichever occurs first:*

32 (1) (A) Recognize and reward service as appropriate for each  
33 discipline. The significant service contributions of a candidate for  
34 tenure shall be documented before those service contributions may  
35 be used as a basis for a favorable tenure decision.

36 (B) Consider, as part of the implementation of this subdivision,  
37 the extent to which forms of service, including those listed in  
38 subparagraph (C), may be recognized for purposes of appointment,  
39 promotion, retention, and tenure review.

40 (C) (i) Serving on community boards and committees.

- 1 (ii) Engaging in civic activities.
- 2 (iii) Working in outreach programs developed to promote
- 3 cultural diversity in the student body.
- 4 (iv) Consulting with governmental or nonprofit agencies
- 5 established to address student and community needs.
- 6 (v) Developing programs for underserved populations.
- 7 (vi) Research and creative activities that benefit communities.
- 8 (vii) Consulting with or addressing student and community
- 9 organizations.
- 10 (viii) Any other service activities that are focused on improving
- 11 the health and well-being of society.
- 12 (2) Develop and distribute throughout their respective segments
- 13 transparent criteria for tenure that include service, if no criteria of
- 14 that type that are academically appropriate for each discipline have
- 15 previously been adopted in that segment. Service is a critical factor
- 16 in the evaluation of a candidate for tenure.
- 17 (b) In fulfilling their responsibilities under subdivision (a), the
- 18 trustees shall, and the regents are encouraged to, do both of the
- 19 following:
- 20 (1) Consult with the academic senates of their respective
- 21 segments and with student and community organizations.
- 22 (2) Take actions that are consistent with applicable collective
- 23 bargaining agreements.